

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON**

**MONIQUE TRAMMELLE and H.T.,  
minor child,**

Plaintiffs,

v.

**UNITED STATES OF AMERICA,**

Defendant.

Case No. 2:21-CV-1826-HL

**ORDER**

**Michael H. Simon, District Judge.**

U.S. Magistrate Judge Andrew Hallman issued Findings and Recommendation in this case on February 7, 2022. ECF 7. Judge Hallman recommended that the Court grant the United States’ Motion to Dismiss, ECF 4, with prejudice. No party has filed an objection.

Under the Federal Magistrates Act (“Act”), the Court may “accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate.” 28 U.S.C.

§ 636(b)(1). If a party files an objection to a magistrate judge’s findings and recommendations, “the court shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.” *Id.*; Fed. R. Civ. P. 72(b)(3).

Although review is not required in the absence of objections, the Act “does not preclude further review by the district judge[] *sua sponte* . . . under a *de novo* or any other standard.” *Thomas*, 474 U.S. at 154. Indeed, the Advisory Committee Notes to Fed. R. Civ. P. 72(b) recommend that “[w]hen no timely objection is filed,” the court review the magistrate judge’s findings and recommendations for “clear error on the face of the record.”

No party having made objections, this Court follows the recommendation of the Advisory Committee and reviews Magistrate Judge Hallman’s Findings and Recommendation for clear error on the face of the record. No such error is apparent. Accordingly, the Court ADOPTS Magistrate Judge Hallman’s Findings and Recommendation, ECF 7. The Court GRANTS the United States’ Motion to Dismiss, ECF 4, with prejudice.

**IT IS SO ORDERED.**

DATED this 4th day of March, 2022.

/s/ Michael H. Simon  
Michael H. Simon  
United States District Judge